

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

KANE MARCEAUX, GREG CORMIER,
SCOTT POIENCOT, NORBERT MYERS,
GABE THOMPSON, NOVEY STELLY,
ULETOM P. HEWITT, REGINA BRISCOE
AND ALEETA M. HARDING

CIVIL ACTION NO: 6:12-cv-01532

VERSUS

JUDGE RICHARD T. HAIK, SR.

LAFAYETTE CITY-PARISH CONSOLIDATED
GOVERNMENT; LAFAYETTE POLICE
DEPARTMENT THROUGH THE LAFAYETTE
CITY-PARISH CONSOLIDATED
GOVERNMENT; LESTER JOSEPH "JOEY"
DUREL, JR. IN HIS CAPACITY AS PRESIDENT
OF THE LAFAYETTE CITY-PARISH
CONSOLIDATED GOVERNMENT; DEE
EDWARD STANLEY, INDIVIDUALLY AND IN
HIS CAPACITY AS CHIEF ADMINISTRATIVE
OFFICER OF THE LAFAYETTE CITY-PARISH
CONSOLIDATED GOVERNMENT; JAMES P.
"JIM" CRAFT, INDIVIDUALLY AND IN HIS
CAPACITY AS CHIEF OF THE LAFAYETTE
POLICE DEPARTMENT; AND GEORGE
"JACKIE" ALFRED, INDIVIDUALLY AND IN
HIS CAPACITY AS PATROL DIVISION
COMMANDER OF THE LAFAYETTE
POLICE DEPARTMENT

MAGISTRATE JUDGE PATRICK J. HANNA

MOTION FOR POST JUDGMENT COSTS AND ATTORNEYS' FEES

NOW INTO COURT, through undersigned counsel, come Defendants/Judgment
Creditors, LAFAYETTE CITY-PARISH CONSOLIDATED GOVERNMENT, ET AL, which
hereby move the Court for post judgment costs and attorneys' fees pursuant to 42 USC §1988
and FRCP Rule 54(d)(2), upon representing as follows:

1.

Plaintiffs/Judgment Debtors asserted various claims against Defendants/Judgment Creditors based on 42 USC §1983, among others. This Court dismissed all claims, and the U.S. Court of Appeals for the Fifth Circuit affirmed. (Doc. 178). Through the course of these proceedings, the Court awarded Defendants/Judgment Creditors \$5,000.00 as sanctions against Plaintiffs' counsel, S. Stephen Spring, II ("Spring") and J. Christopher Alexander ("Alexander"). (Doc. 138). In addition, the Court awarded Defendants/Judgment Creditors costs totaling \$17,041.19 and attorneys' fees pursuant to 42 USC §1988 in the amount of \$91,035.00. (Doc. 174). The Court of Appeals for the Fifth Circuit affirmed same.

2.

To date, the amounts described herein remain outstanding, despite repeated demand from Defendants/Judgment Creditors. Accordingly, Defendants/Judgment Creditors filed a Motion to Examine Judgment Debtors on or about July 22, 2015 and have undertaken measures with which to collect said judgments.

3.

As shown by the Affidavit filed herewith as Exhibit A, post-judgment attorneys' fees incurred to date as a result of Plaintiffs/Judgment Debtors' default are 4.7 hours.

4.

As prevailing parties under 42 USC §1988, Movers are entitled to recover reasonable attorneys' fees and expenses, including costs and expenses incurred or which may occur as a result of Plaintiffs/Judgment Debtors' default in payment of the judgments described herein.

WHEREFORE, Defendants/Judgment Creditors pray that Plaintiffs/Judgment Debtors be ordered to reimburse Defendants/Judgment Creditors for post-judgment costs and attorneys' fees incurred as a result of having to execute on the judgments of this court.

RESPECTFULLY SUBMITTED:

BRINEY FORET CORRY, LLP

BY: s/ Michael P. Corry

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ATTORNEY FOR DEFENDANTS/JUDGMENT
CREDITORS

CERTIFICATE

This is to certify that on July 27, 2014, I presented the foregoing to the Clerk of the Court for filing and uploading to the CM/ECF system which will send notification of such filing to the following:

springlaw@gmail.com

jca@jcalaw.us

ralexander@deep-south.com

hanna_orders@lawd.uscourts.gov

and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participant or pro se defendant:

None.

s/Michael P. Corry

MICHAEL P. CORRY - 20764